

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

Nathan Vidal, Debra Kennick, Abdjul Martin,
and Eduardo Granados, on behalf of
themselves and all other similarly situated
individuals,

Plaintiffs,

vs.

The Hershey Company,

Defendant.

Case No.: 24-60831-CIV-DAMIAN/Valle

JOINT DECLARATION

Anthony J. Russo and James C. Kelly, declare under penalty of perjury, that the following is true and correct:

1. We are counsel for Plaintiffs in the above-captioned action.
2. We submit this declaration in support of the appointment of Anthony J. Russo, from The Russo Firm, and James C. Kelly, from The Russo Firm, as counsel for the class.

Anthony J. Russo, Jr.

3. Anthony J. Russo, Jr., is the founding partner of Anthony J. Russo, Jr., P.A., d/b/a The Russo Firm, and his corporate office is located in Boca Raton, Palm Beach County, Florida. As a consumer justice attorney, Mr. Russo focuses his practice on catastrophic personal injury, wrongful death, and defective pharmaceutical drugs and medical devices.

4. For over two decades, Mr. Russo has handled thousands of consumer justice and personal injury lawsuits and has successfully litigated and tried cases throughout Florida and the United States.

5. Prior to starting The Russo Firm, Anthony was the managing partner of the Weston, Florida Law Firm of Freedland, Farmer, Russo & Sheller, P.A. and later Freedland Russo, P.L. (WestonLawyers.com) and founding partner of the Law Firm of Russo & Mitchell.

6. As a member of Freedland, Farmer, Russo & Sheller, P.A., the firm handled several Qui Tam Whistleblower and Class Action cases, with Mr. Russo actively participating in such matters.

7. Mr. Russo received his Juris Doctor from Nova Southeastern University in Broward County, Florida. Mr. Russo was admitted to the Florida Bar in 1995 and is also admitted to practice law in New York, New Jersey, Texas, the District of Columbia as well as the United States Northern, Middle and Southern District Courts of Florida and the United States Court of Appeals 11th Circuit.

8. Mr. Russo is an active member of the Florida Justice Association, Broward County Justice Association, National Trial Lawyers Association, the Florida Bar Association, and the Florida Lawyers Action Group. Mr. Russo also devotes his personal time to a variety of social and charitable causes. He formally served as the Legal Pro-Bono Supervisor for MADD's Court Monitoring Program and currently sits on the Board of Directors of the Florida Initiative for Suicide Prevention (F.I.S.P.) and the Wonder Seed Foundation. He served as the 2007-2008 President of the Rotary Club of Weston and is a former Board of Director of the Sheinberg Family YMCA of Broward County.

James C. Kelly

9. James C. Kelly has been litigating class actions in courts throughout the United States for over 20 years.

10. For example, Mr. Kelly has prosecuted a class action against Citibank in the United States District Court for the Southern District of New York. After years of litigation, a bench trial, and two appeals before the Second Circuit Court of Appeals, Mr. Kelly negotiated a nationwide settlement estimated to have a value of approximately \$10 million, which was approved by the court. *See Bertram Hirsch, et al. v. Citibank NA*, Case No. 1:12-cv-01124-DAB-JLC (S.D.N.Y.).

11. Mr. Kelly also prosecuted a class action against Blue Diamond Growers for misleading consumers in connection with the sale of its Almond Breeze labeled almond milk products in not disclosing that said products contain only 2% almond content. *See Albert v. Blue Diamond Growers*, 151 F. Supp. 3d 412 (S.D.N.Y. 2015) (denying defendants' motion to dismiss). This lawsuit was resolved along with other class actions that were brought against Blue Diamond Growers in a \$9 million nationwide settlement that was approved in the Circuit Court of Washington County, Arkansas.

12. Mr. Kelly is a graduate of Brooklyn Law School (2004) and is in good standing and admitted to the Bar of the State of New York, the Bar of the United States District Court for the Eastern District of New York, and the Bar of the United States District Court for the Southern District of New York.

13. Mr. Kelly has been admitted *pro hac vice* by the Court in the above-captioned matter. *See* ECF No. 11.

14. We declare under penalty of perjury that the foregoing is true and correct.

Date: February 21, 2025

Respectfully submitted,

/s/ Anthony Russo
Anthony Russo, Esq.

Florida Bar No. 43109
THE RUSSO FIRM
1001 Yamato Road, Suite 106
Boca Raton, FL 33431
T: 844-847-8300
E: anthony@therussofirm.com

/s/ James C. Kelly
James C. Kelly (admitted *pro hac vice*)
THE RUSSO FIRM
244 5th Avenue, Suite K-278
New York, New York 10001
T: 212-920-5042
E: jkelly@jckellylaw.com

Counsel for Plaintiffs